

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

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|--------------------------|---|--------------------|
| UNITED STATES OF AMERICA |) | PLAINTIFF |
| |) | |
| v. |) | No. 4:18CR00163 JM |
| |) | |
| |) | |
| ALEXANDER JOSEPH JORDAN |) | DEFENDANT |

DEFENDANT’S MOTION FOR PRETRIAL RELEASE

Comes now, the Defendant, Alexander Joseph Jordan, by and through his attorney, Nicole Lybrand, and for his Motion for Pretrial Release pursuant to 18 U.S.C. § 3142(c), states:

1. That on February 27, 2018, Mr. Jordan appeared before United States Magistrate Beth Deere, on a criminal complaint alleging knowing possession of a unregistered select agent;
2. That on February 28, 2018, Mr. Jordan was released to the University of Arkansas for Medical Sciences for mental health treatment until he could be designated to a federal bureau of prisons facility for a psychiatric evaluation;
3. That on June 11, 2018, defense counsel received notice from the previously-appointed third-party custodian, David Undiener, that Mr. Jordan had been returned to United States Marshals Custody and had arrived at the West Tennessee Detention Facility;
4. That, in light of the findings that Mr. Jordan is not a danger to himself or others in the forensic evaluation, that Mr. Jordan be released from custody pending trial in

this matter. He proposes to live with his mother and step father in Little Rock, AR, with his stepfather serving, once again, as his third-party custodian;

5. The federal bail statute grants this Court the authority to release the defendant upon the “least restrictive” combination of conditions necessary to assure his appearance and the safety of the community. In reaching this decision, the Court should consider (1) the nature and circumstances of the offense; (2) the weight of the evidence; (3) the defendant’s personal characteristics; and (4) whether release would pose a danger to the community. The Government must establish danger to the community by “clear and convincing” evidence; the risk of flight component may be established by a preponderance.

WHEREFORE, the Defendant respectfully requests the Court to grant a hearing in this matter and for all other just and proper relief.

Respectfully submitted,

JENNIFFER HORAN
FEDERAL DEFENDER

By: /s/ Nicole Lybrand
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For: Alexander Joseph Jordan, Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of June 2018, a true and correct copy of the foregoing was mailed to the Defendant, and was electronically filed with the Clerk of the Court using the CM/ECF system, which shall send notification to the following:

Stacy Williams
Assistant United States Attorney
P.O. Box 1229
Little Rock, AR 72203

/s/Nicole Lybrand
Nicole Lybrand